

regard, the NRC has received, and expects to continue to receive, applications for licenses to build and operate new nuclear power plants. For these applications, the NRC assesses the validity of the value for radon-222 in the environmental report submitted by the applicant for a construction permit, early site permit, or combined license for a nuclear power reactor to determine any impacts to the environment. The NRC staff scales data to the model reactor described in NUREG-1437 to arrive at figure for the expected radon-222 emissions resulting from the operation of the proposed plant. The health, safety and environmental impacts of the expected radon-222 emissions are evaluated on an application-specific basis, using the NUREG-1437 generic analysis and assessment.¹³

The NRC has determined that, at this time, revising the value for radon-222 in Table S-3, as requested in PRM-51-1, does not provide any benefit over the NRC's current application-specific review. In Staff Requirements Memorandum COMGBJ-07-0002, dated August 6, 2007, the Commission agreed that PRM-51-1 should be closed.

Conclusion

For the reasons described above, the NRC finds that a rulemaking to revise the radon-222 value in Table S-3 is not necessary. The NRC's prior deletion of the value for radon-222 in Table S-3 did grant, in part, the petitioner's request regarding the value for radon-222. The Commission is now denying the remaining outstanding issue of the petitioner's request by not revising Table S-3 to include a revised value for radon-222.

Closing the petition does not preclude the NRC from taking future regulatory action to amend Table S-3. The NRC will continue to evaluate, as part of its annual review of potential rulemaking activity, the need to amend Table S-3.

For the reasons cited in this document, the NRC denies this petition.

Dated at Rockville, Maryland, this 11th day of March, 2008.

For the Nuclear Regulatory Commission.

Luis A. Reyes,

Executive Director for Operations.

[FR Doc. E8-5647 Filed 3-19-08; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2008-0154; Airspace Docket No. 08-ASO-10]

Establishment of Class E Airspace; Canon, GA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This action proposes to establish Class E Airspace at Canon, GA. Airspace is needed to support new Area Navigation (RNA V) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAPs) that have been developed for Franklin County Airport. As a result, controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to contain the SIAP and for Instrument Flight Rule (IFR) operations at Franklin County Airport. The operating status of the airport will change from Visual Flight Rules (VFR) to include IFR operations concurrent with the publication of the SIAP. This action enhances the safety and airspace management of Franklin County Airport, Canon, GA.

DATES: Comments must be received on or before May 5, 2008.

ADDRESSES: Send comments on this rule to: U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey, SE., Washington, DC 20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA-2008-0154; Airspace Docket No. 08-ASO-10, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

You may review the public docket containing the rule, any comments received, and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Avenue, College Park, Georgia 30337.

FOR FURTHER INFORMATION CONTACT: Melinda Giddens, System Support Group, Eastern Service Center, Federal

Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5610.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to comment on this rule by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Those wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2008-0154; Airspace docket No. 08-ASO-10." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the **Federal Register's** Web page at: <http://www.gpoaccess.gov/fr/index.html>. Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Code of Federal Regulations (14 CFR part 71) to establish Class E airspace at Canon, GA. Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures

¹³ See, e.g., NRC final environmental impact statements for early site permits to construct new nuclear reactor facilities at Dominion's North Anna Power Station, in Louisa County, Virginia (NUREG-1811, § 6.1.1.5); Exelon's Clinton Power Station, near Clinton, Illinois (NUREG-1815, § 6.1.1.5); and Entergy's Grand Gulf Nuclear Station, near Port Gibson, Mississippi (NUREG-1817, § 6.1.1.5).

(SIAPs) that have been developed for Franklin County Airport and controlled airspace is required to support these procedures. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the Earth are published in Paragraph 6005 of FAA Order 7400.9R, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, part, A subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it proposes to establish Class E airspace at Canon, GA.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, effective September 15, 2007, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ASO GA E5 Canon, GA [New]

Franklin County Airport, GA
(Lat. 34°20'25" N., long. 83°07'51" W.)

That airspace extending upward from 700 feet above the surface of the Earth within a 6.6-mile radius of the Franklin County Airport.

* * * * *

Issued in College Park, Georgia, on February 26, 2008.

Mark D. Ward,

Manager, System Support Group Eastern Service Center.

[FR Doc. E8–5573 Filed 3–19–08; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[FWS–R3–ES–2008–0030; 1111 FY07 MO–B2]

Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To List the U.S. Population of Coaster Brook Trout (*Salvelinus fontinalis*) as Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 90-day petition finding and initiation of status review.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce a 90-day finding under the Endangered Species Act of 1973, as amended (Act), concerning the petition to list as endangered a population of brook trout (*Salvelinus fontinalis*) known as coaster

brook trout throughout its known historic range in the conterminous United States. We find that the petition contains substantial scientific or commercial information indicating that listing the U.S. population of coaster brook trout may be warranted. Therefore, with the publication of this notice, we are initiating a status review of the coaster brook trout. At the conclusion of the status review, we will issue a 12-month finding on the petition. To ensure that the status review of the coaster brook trout is comprehensive, we are soliciting scientific and commercial information regarding the coaster brook trout throughout its range. We will make a determination on critical habitat for this species if we initiate a listing action.

DATES: We will accept comments received or postmarked on or before May 19, 2008. We must receive requests for public hearings, in writing, at the address shown in the **ADDRESSES** section by May 5, 2008.

ADDRESSES: You may submit comments by one of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- U.S. mail or hand-delivery: Public Comments Processing, Attn: FWS–R3–ES–2008–0030, Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

We will not accept e-mail or faxes. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Public Comments section below for more information).

FOR FURTHER INFORMATION CONTACT: Ms. Jessica Hogrefe, East Lansing Field Office, U.S. Fish and Wildlife Service, 2651 Coolidge Road—Suite 101, East Lansing, MI 48823–6316; telephone 517–351–8470; facsimile 517–351–1443. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at (800) 877–8339.

SUPPLEMENTARY INFORMATION:

Public Comments

When we make a finding that a petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted, we are required to promptly commence a review of the status of the species. To ensure that the status review is complete and based on the best available scientific and commercial information, we are soliciting information on coaster brook trout